IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9803 OF 2004

Smt Kamlibai Bhaskar Patil & ors.. Petitioners

versus

Smt.Padmibai Moreshwar Patil
(since deceased by her heirs) & ors.. Respondents

Ms.Gauri Godse for Petitioners

Mr.G.S.Godbole for Respondent nos. 1 to 7.

CORAM : D.G.KARNIK, J

DATED : 27th January, 2006

P.C.

1. Heard learned counsel for the parties.

2. By this petition, the petitioners challenge the judgment and order dated 22nd July, 2004 passed by the Additional Commissioner, Konkan Region, Mumbai. The impugned judgment arises out of the proceedings initiated by the revenue authorities for making mutation entries in the revenue records. Learned counsel for the parties state that a civil suit is pending between the parties relating to their rights to the suit property. It is a settled principle of law that

entries in the record of rights are made for fiscal purposes and they neither confer a title nor take away the title. Needless to say that after the decision of the suit, the revenue authorities would be required to make modifications, if any, in the revenue records for giving effect to the decision of the suit. Any observations made in the revenue proceedings are not binding on civil Courts while deciding the issue of title which is required to be decided independently. With these observations, Writ Petition is dismissed.

(D.G. KARNIK, J)